UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE LOWER MANHATTAN DISASTER SITE LITIGATION

THIS DOCUMENT APPLIES TO ALL LOWER MANHATTAN DISASTER SITE LITIGATION

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21 MC 102 (AKH)

STIPULATION OF DISCONTINUANCE AND COURT ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the actions listed in "Schedule A" attached hereto, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled actions be, and the same hereby are discontinued without prejudice as against THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., and as to the 130 Liberty Street locations only, without costs to either party as against the other.

IT IS FURTHER STIPULATED AND AGREED, that should evidence be discovered throughout the course of the litigation which determines that THE BANK OF NEW YORK MELLON CORPORATION, AS Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC. 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., is a proper party to these suits, plaintiff may reinstitute these actions without regards to the applicable statute of limitations as a defense.

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York December 14, 2007

> SEGAL McCAMBRIDGE SINGER & MAHONEY, LTD. Attorneys for The Bank of New York Mellon Corporation, as Successor to The Bank of New York Company, Inc., The Bank of New York, One Wall Street Holdings LLC 4101 Austin Blvd. Corporation, The Bank of New York

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Trust Company, N.A.

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VIN K. HELLERSTEIN

## SCHEDULE A

STIPULATION AND ORDER OF DISMISSAL RELATED TO 130 LIBERTY STREET COMPLAINTS FOR THE FOLLOWING PLAINTIFFS:

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4	Ali, Enrique	07CV01554
5	Allivar, Raul	05CV9821
. 6	Alvarez, Maria	05CV10135
. 7	Alvarracin, Jose	07CV01556
8	Asencio, Ivan	07CV,1460
9	Atencia, Marcelo	07CV01562
10	Bailon, Peter B.	07CV05336
11	Barahona, Jose	07CV5550
12	Betancourt, Hector	07CV4453
13	Burgos, Leopoldo	07CV1473
14	Caguana, Manuel	06CV11968
15	Calero, Ivan	07CV1575
16	Calle, Wilson	07CV01578
17	Campoverde, Rey R.	07CV05280
18	Campozano, Rodrigo	07CV4459
19	Cardenas, Edison	07CV1580
20	Castillo, Silvia	05CV1718
21	Chuva, Nancy	07CV01589
22	Cintron, Yolanda	06CV5631
23	Cortez, Jorge E.	07CV05394
24	Criollo, Nancy	07CV4462
25	Dota, Clara	07CV01602
26	Drake, Jesse	07CV05353
27	Duarte, Inerva	07CV01603
28	Dutan, Elvia and Wilfredo	07CV1606
29	Encalada, Jorge	07CV1607
30	Franco, Luis	07CV4466

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36	Giraldo, Hitien E.	07CV5554
37	Gualpa, Rosa	07CV4472
38	Guzman, Armando	07CV5556
. 39	Hernando, Avenia	07CV4473
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41	Idrovo, Edgar	07CV1627
42	Idrovo, Manuel	07CV01628
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45	Jaramillo, Jonas	06CV14746
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57	Merchan, Carlos	07CV01665
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59	Morales, Tatiana	07CV05370
60	Moreno, Sandra	07CV1670
61	Naranjo, Luis	07CV00082
62	Naranjo, Walter	07CV04496
63	Negrete, Oscar	07CV05371
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65	Palaguachi, Rosa	07CV1680
66	Reynolds, David	07CV3446
67	Rhoden, Marcel	07CV05311
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71	Salazar, Victor	07CV4512
72	Sanchez, Edilberto	07CV05384
73	Sanchez, Rosa	06CV12488
74	Santamaria, Emanuel	07CV1528
75	Sarmiento, Edwin	07CV4515
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77	Serrano, Theresa	05CV8937
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79	Suarez, Felipe	07CV1707
80	Samuel Sumba	07CV1710
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90	Walsh, Kevin	06CV12608
91	Waniurski, Robert	07CV4525
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